

# **PETITION TO CHANGE ORDER OF ASSIGNMENT**

# **1**

**To Modify an  
Existing Court Order**  
(WHEN THE OTHER PARTY WILL NOT SIGN AN  
AGREEMENT TO CHANGE THE ORDER)

Part 1: Completing and Filing  
the Court Papers



## SELF-SERVICE CENTER

### PETITION TO MODIFY (CHANGE) “ORDER OF ASSIGNMENT”

#### FOR PETITIONER OR RESPONDENT

##### PART I – COMPLETING AND FILING THE COURT PAPERS

This packet contains court forms and instructions to file a Petition to Change an Order of Assignment. The documents should appear in order as listed. Items listed below in **BOLD** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. **Do not copy or file those pages!**

Order	File Number	Title	No. Pp.
1	DRMW1t	Table of forms/instructions in this packet	1
2	DRMW1k	Checklist: Use these forms if . . .	1
3	DRMW11i	INSTRUCTIONS: How to fill out all forms	2
4	DRMW11f	<b>“Petition to Change an Order for Assignment”</b>	2
5	DRS82i	<i>Instructions to Complete an “Order of Assignment”</i>	1
6	DRS82f	<b>“Order of Assignment”</b>	1
7	DRS88f	<b>“Current Employer Information Sheet”</b>	1
8	DRMW10p	PROCEDURES: What to do after completing all forms	3

The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

## SELF-SERVICE CENTER

### CHECKLIST

#### PETITION TO CHANGE (MODIFY) “ORDER OF ASSIGNMENT”

**What is an Order of Assignment?** An order directing an employer or other payor of funds to withhold a monthly amount from the income of the person obligated to pay child support, spousal maintenance, back child support and spousal maintenance (arrearages), and/or interest.

**USE THE FORMS and instructions in this packet ONLY if the following factors apply to you:**

- ✓ There is an “Order of Assignment”, **AND**
- ✓ The other party(ies) will not sign papers agreeing to the change, **AND**
- ✓ One or more of the following conditions applies:

**You want to *CHANGE* the “Order of Assignment” because:**

- ✓ The amount shown in the “*Order of Assignment*” is wrong or was changed by court order; **OR**
- ✓ You have paid up all amounts you owed for back child support, and only have to pay current child support; **OR**
- ✓ You still owe money for back child support, but the current child support should stop; **OR**
- ✓ The “*Child Support Order*” states a separate amount per child, per month, and one or more of the children have gotten married, reached age 18, or other condition for stopping child support has occurred; **OR**
- ✓ You still owe current or back spousal maintenance but one or more conditions for stopping or reducing child support have been met; **OR**
- ✓ You still owe current spousal maintenance payments but have paid up all amounts owed for back spousal maintenance and / or current or back child support; **OR**
- ✓ You still owe back spousal maintenance and / or current and / or back child support, but one of the conditions listed in the Order for ending current spousal maintenance payments has occurred.

**DO NOT USE FORMS and instructions in this packet if the following factors apply to you:**

#### ***X You want to modify/change your child support order.***

All parties **agree** to the change and are willing to sign papers saying they agree (Use the “*Agreement to Change Order of Assignment*” forms instead).

No further payments are owed for either current or back child support or spousal maintenance (Use either the “*Request*” or “*Agreement*” “to Stop Order of Assignment” forms instead).

**READ ME:** Before filing documents with the Court, consult a lawyer to help guard against undesired and unexpected consequences. The Self-Service Center has a list of lawyers who can give you legal advice and who can help you on a task-by-task basis for a fee, and a list of court-approved mediators as well. You may view the lists at the Self-Service Centers or on our web site at: <http://www.superiorcourt.maricopa.gov/ssc/provider/lawyers.asp>

## SELF-SERVICE CENTER

### INSTRUCTIONS: HOW TO FILL OUT FORMS TO CHANGE AN ORDER OF ASSIGNMENT (When Parties Will Not Sign Agreement to the Change)

#### TO COMPLETE THESE FORMS YOU WILL NEED:

- ✓ The date the current **"Order of Assignment"** was signed. If you do not know this date, you can find it on the original **"Order of Assignment"** maintained in the court file.
- ✓ The fee for filing for this process is currently \$61.00. There may be additional fees, including an appearance fee of \$231.00 if this is the first time you or your attorney has appeared (filed any papers) in this case. If you cannot pay these fees, you may request that the fees be deferred or waived. The Self-Service Center and the Clerk of Superior Court have the necessary forms to request the deferral or waiver.

#### DEFINITIONS:

**"Obligee"** is the person or agency entitled to receive support payments.

**"Obligor"** is the person ordered to make support payments.

**For All Forms: use black ink, Type or Print in large clear letters.**

#### PETITION TO CHANGE ORDER OF ASSIGNMENT

**Match each numbered item in the instructions with the same numbered item on the form.**

Enter the following information:

- (1) (At top left) Print the name and other information requested for the person submitting this form. If you are representing yourself in this matter, check the box before "Self".
- (2) The names of the persons shown as the petitioner/plaintiff and respondent/defendant on the original Order of Assignment.
- (3) The case number that appears on the Order of Assignment.
- (4) The ATLAS number (if one has been assigned to your case).
- (5) The name of the person making this request to change the amount of the Assignment.
- (6) The date the current Order of Assignment, the one you want to change, was signed. This will be near the Judicial Officer's signature on the Order
- (7) The amount listed on the current Order of Assignment.
- (8) The new amount you want the Court to order Assigned.
- (9) or (10) Check to explain *why* the Order of Assignment should be changed.
  - (9) Check here if the amount listed on the current order is **WRONG**, or if the amount has been changed by court order. If it was changed, enter the date of the Court Order making the change and the name of the county where the change was made. OR
  - (10) Check here if money is still owed, **but the amount owed has changed so the amount of the assignment should be changed**, then read and check the appropriate boxes immediately below that explain *why* the amount of the assignment should change in your situation.

If, in (10), you checked **"The obligation to make current child support payments has ended"**, check (10)(a) and all the boxes under (10)(a) that explain why no current/future child support is owed. But if you checked **"The amount of current child support to be paid has decreased"**, then check (10)(b), and all the boxes under (10)(b) that explain why the amount of child support owed has decreased.

**(10)(c)** Check this box if there are other reasons listed on the support order or permitted by law for changing the amount of the ***“Order of Assignment”*** that are not included in **10(a)** or **(b)**, and list them in the space provided. Write CLEARLY.

**Signatures/Notary Information:** Do not sign until you are directed to do so by a Notary Public or a Clerk of Court. Sign only your own name. Do not fill out the rest of this page. Signing your name is a statement to the Court that you believe the information submitted is true and correct under penalty of law.

### **ORDER OF ASSIGNMENT**

If the Court grants your request, you will need a new ***“Order of Assignment”*** with the new/correct amount.

1. Match the numbered instructions below with the matching numbers on the form.
2. Fill in the name of the person shown as the petitioner on the original ***“Order of Assignment.”***
3. Fill in the name of the person shown as the respondent on the original ***“Order of Assignment.”***
4. Fill in the case number and ATLAS Number (if any) that appears on the original ***“Order of Assignment.”***
5. Fill in the name and Social Security Number (SSN) of the person obligated to make payments.

**STOP. Judicial Officers or staff will complete the rest of this page. Proceed to next form**

### **CURRENT EMPLOYER INFORMATION SHEET**

- Fill in the information requested on this short form, which asks for only:
- Case Number
- ATLAS Number (if one has been assigned to this case)
- Name of the payor, the person obligated to make payments
- Name and payroll address, fax and phone numbers for the payor’s current employer (the one(s) named in the Order of Assignment)
- Name and payroll address, fax and phone numbers for the payor’s previous employer

**WHEN YOU HAVE COMPLETED THESE FORMS, GO TO THE “PROCEDURES” PAGE  
AND FOLLOW THE STEPS LISTED THERE.**

(1) Person Filing: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City, State, Zip Code: \_\_\_\_\_  
 Daytime / Evening Phone: \_\_\_\_\_  
 In this case I am: ☐ Petitioner or ☐ Respondent  
 Attorney for : ☐ Petitioner or ☐ Petitioner  
 (IF)Attorney, Name: \_\_\_\_\_ Bar No. \_\_\_\_\_

## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

(2) Petitioner (in original case) \_\_\_\_\_

(3) CASE No. \_\_\_\_\_

(4) ATLAS No. \_\_\_\_\_

Respondent (in original case) \_\_\_\_\_

### PETITION TO CHANGE ORDER OF ASSIGNMENT

A.R.S. § 25-504

**THIS FORM DOES NOT AFFECT YOUR EXISTING SUPPORT ORDER.  
THIS FORM ONLY APPLIES TO THE ORDER OF ASSIGNMENT.**

(5) I, \_\_\_\_\_ ask the Court to modify the Order of Assignment dated (6) \_\_\_\_\_, from the current amount of (7) \$ \_\_\_\_\_ to the new amount of (8) \$ \_\_\_\_\_ because:

(Check the appropriate box(es))

(9) ☐ The amount shown on the “Order of Assignment” is wrong or was changed by Court Order on \_\_\_\_\_ (date) in \_\_\_\_\_ County.

(10) ☐ Money is still owed for Child Support or Spousal Maintenance, but the amount of the assignment should be changed because:

- ☐ All back child support (arrearages) and interest have been paid.
- ☐ All back spousal maintenance (alimony) (arrearages) and interest have been paid.
- ☐ The obligation to make current child support payments has ended.
- ☐ The obligation to make current spousal maintenance payments has ended.
- ☐ The amount of current child support to be paid has changed.
- ☐ The person receiving payments is deceased, but payments are still owed to the state.

(10)(a) ☐ Current child support is no longer owed and the person making payments is now only obligated to pay arrearages (back child support) and interest because all children named in the Child Support Order: (Check all that apply)

- ☐ are 18 and not attending high school or a certified high school equivalency program.
- ☐ are 19 ☐ are married ☐ have been adopted ☐ are deceased.
- ☐ are, by Court Order, no longer in the custody of the person receiving payments.



## SELF-SERVICE CENTER

### INSTRUCTIONS: HOW TO COMPLETE AN “ORDER OF ASSIGNMENT”

#### DEFINITIONS:

- **Obligor** is the person ordered to make support payments.
- **Obligee** is the person or agency entitled to receive support

#### COMPLETE THIS FORM FOR AN “ORDER OF ASSIGNMENT” IF:

- You have completed a “*Petition for an Ex Parte Assignment*” or
- You have been ordered by the court to prepare an “*Order of Assignment*” or
- You are a party to a case in which the court may establish or modify a support obligation.

#### HOW TO COMPLETE THIS FORM:

TYPE OR PRINT NEATLY USING **BLACK INK**. Follow the instructions given below. Match each numbered step in the instructions with the item on the “*Order of Assignment*” that has the same number.

- (1) Fill in the name of the person who is shown as the Petitioner on the order that established the support obligation. If there is no order, type or print the name of the person shown as the Petitioner in the original petition filed in the case.
- (2) Fill in the name of the person shown as the Respondent on the order that established the support obligation. If there is no order, type or print the name of the person shown as the Respondent in the original petition filed in the case.
- (3) Fill in the case number that appears on the support order. If the order was issued in a county other than the one where you are filing this request and order, leave this item blank. If you do not have an order establishing a support obligation, leave this item blank.
- (4) Fill in the ATLAS number that appears on the support order. If the order was issued in a county other than the one where you are filing this request and order, leave this item blank. If you do not have an order establishing a support obligation, leave this item blank.
- (5) Fill in the complete name (first, middle and last) and the Social Security Number of the Obligor (the person ordered to make support payments.)

**STOP: The Judicial Officer or staff will complete the rest of this page.**



# THE SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

(1) \_\_\_\_\_ )  
 Petitioner )  
 vs. )  
 (2) \_\_\_\_\_ )  
 Respondent )

(3) Case Number: \_\_\_\_\_

(4) ATLAS Number: \_\_\_\_\_

## ORDER OF ASSIGNMENT

**TO: Current and future employers or other payors of:**

(5) Name: \_\_\_\_\_ SSN: \_\_\_\_\_

**This order modifies and replaces any previous "Order of Assignment" with the same case number.** You shall withhold court-ordered payments as follows:

Current Child Support	\$ _____
Current Spousal Maintenance/Support	\$ _____
Payments on Arrears / Interest	\$ _____
Clearinghouse Handling Fee	\$ _____ 2.25 per month*
<b>TOTAL AMOUNT</b> per month	<b>\$ _____, but no more than</b>

**50% of disposable earnings** (A.R.S. § 33-1131). \*The Clearinghouse handling fee is set by statute and subject to change (A.R.S. § 25-510).

This **"Order of Assignment"** is effective immediately upon receipt by an employer or other payor, including self-employed persons, and continues until further Order, or until a period of 90 continuous days from the last payment to the Obligor. If you are again obligated to pay monies to the Obligor within 90 days, you are again bound by **this "Order of Assignment."** Payment must be sent to the Support Payment Clearinghouse within two (2) business days of the date the monies were withheld.

**This Order of Assignment terminates** on the last day of \_\_\_\_\_, \_\_\_\_\_ unless it includes an arrearage payment, in which case the total amount listed above shall continue to be withheld until further order.

**You shall NOT discharge or otherwise discipline the person named in this assignment, because of service of this "Order of Assignment."**

The above ATLAS number and employee's name **must** appear on the *Transmittal Form or check*. Make payments payable and send to:

**Support Payment Clearinghouse, P.O. Box 52107, Phoenix, AZ 85072-2107**

**Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.**

\_\_\_\_\_  
 Judicial Officer or Clerk of Superior Court

## **CURRENT EMPLOYER INFORMATION**

You may also fill out this form online at the Family Support Center Website at:  
<http://www.familysupportcenter.maricopa.gov>

### **THIS FORM MUST BE COMPLETED FOR:**

- ☐ **AN ORDER OF ASSIGNMENT (STAPLE TO THE ORDER OF ASSIGNMENT)**
- ☐ **ORDER TO STOP AN ORDER OF ASSIGNMENT (STAPLE TO THE STOP ORDER)**
- ☐ **NOTIFICATION OF A CHANGE OF EMPLOYER**

**CASE NUMBER:** \_\_\_\_\_

**ATLAS NUMBER:** \_\_\_\_\_

**PAYOR NAME:** \_\_\_\_\_  
**(PERSON TO MAKE PAYMENTS)**

**LIST ONLY THE EMPLOYER'S NAME AND PAYROLL ADDRESS WHERE THE ORDER OF ASSIGNMENT OR STOP ORDER SHOULD BE MAILED.**

**CURRENT EMPLOYER NAME:** \_\_\_\_\_

**PAYROLL ADDRESS:** \_\_\_\_\_

**CITY:** \_\_\_\_\_ **STATE:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_

**EMPLOYER TELEPHONE:** \_\_\_\_\_

**EMPLOYER FAX:** \_\_\_\_\_

---

**FOR COURT USE ONLY. DO NOT WRITE BELOW THIS LINE.**

### **WA/FSC**

WA/LOG ID:	_____
TYPE OF W/A	_____
DATE	_____
AMOUNT OF ORDER	_____
EMPLOYER STATUS	_____
ENTERED BY	_____
NEW W/A	_____
AG	_____
	SUB _____
	DCSE _____

**SELF-SERVICE CENTER  
PROCEDURES TO  
PETITION TO CHANGE AN ORDER OF ASSIGNMENT**  
(When the Other Party Will Not Sign an Agreement to the Change)

☐ **STEP 1: Complete the following forms:**

- Petition to Change Order of Assignment
- Order of Assignment
- Current Employer Information Sheet

☐ **STEP 2: Make three copies\* of the Petition to Change Order of Assignment.**

\* **If** there is an ATLAS number for your case, which indicates the child support enforcement services of the state IV-D agency are involved, make a fourth copy for that agency.

☐ **STEP 3: Separate your documents into three sets** (four, if the IV-D Agency is involved). Put your documents in this order:

**Set 1 - ORIGINALS (and Copies) to be filed with the Clerk of Court:**

1. Petition to Change Order of Assignment (1 original +2 copies)
2. Order of Assignment (1 original + 1 copy)
3. Current Employer Information Sheet (1 original)
4. Two self-addressed, stamped envelopes\*

\*One addressed to you; One addressed to the other party

**Set 2 - Copy for You:**

- (1) Petition to Change Order of Assignment

**Set 3 - Copy for Other Party:**

- (1) Petition to Change Order of Assignment

**Set 4 - Copy for IV-D Agency\*:** \*if applicable

- (1) Petition to Change Order of Assignment

☐ **STEP 4: GO TO THE COURT TO FILE YOUR PAPERS. Take all originals and copies.**

The Court is open from 8am-5pm, Monday-Friday. **You should go to the Court at least two hours before it closes.** You may file your court papers at the following Superior Court locations:

Clerk of the Superior Court  
**Central Court Building**  
201 West Jefferson, 1st floor  
Phoenix, Arizona 85003

The Clerk of the Superior Court  
**Northeast Court Complex**  
18380 North 40<sup>th</sup> Street  
Phoenix, Arizona 85032

Clerk of the Superior Court  
**Southeast Court Complex**  
222 East Javelina Drive, 1st floor  
Mesa, Arizona 85210

Clerk of the Superior Court  
**Northwest Court Complex**  
14264 West Tierra Buena Lane  
Surprise, Arizona 85374

**FILE:** Go to the Clerk of the Court filing counter to file your documents.

**FEES:** There is a filing fee and service fees for all petitions. You may request a waiver or deferral of the filing fees (and the Sheriff's service fees if you intend to use the Sheriff's office for service) at the time you file your papers. The Self-Service Center and the Filing Counter have the waiver or deferral forms

**PAPERS:** Hand all three **(3)** (or four (4), if a copy is required for the IV-D Agency) sets of your court papers to the clerk along with cash or a Money Order for the \$61.00 filing fee.  
**NOTE: If this is your first "appearance" in this case**, meaning that you are not the petitioner and this is the first time you have filed any response or other papers, **you may also have to pay an APPEARANCE FEE OF \$231.00.** File the papers with the Clerk of the at one of the Superior Court locations previously listed.

If you bring picture identification, and if you have not already signed the form and/or had the form notarized, a Deputy Clerk will verify your signature, date and sign the **"Request"** at the bottom.

☐ **STEP 5: MAKE SURE YOU GET BACK THE FOLLOWING FROM THE CLERK:**

- Your Set of Copies.
- The Other Party's Set of Copies with a blank **"Petition for Hearing/Notice of Hearing"** attached.
- The Set of Copies for the IV-D Agency (if required)
- Ask the Clerk to stamp the extra copies for you. These are called "conformed" copies.

☐ **STEP 6: SERVE THE PAPERS ON THE OTHER PARTY**

- See the Self-Service Center **SERVICE** Packet for instructions on how to serve the other party
- If the other party is in-state, you must have the papers delivered by a Private Process Server or the Sheriff's Department unless the other party will sign an Acceptance of Service in front of a Notary Public or Clerk of Court.
- You may not hand-deliver the papers *unless* the other party will sign an Acceptance of Service in front of a Notary Public or Clerk of Court
- You may not mail the papers if the other party resides within the state *unless* the other party will sign an Acceptance of Service in front of a Notary Public or Clerk of Court.

**NOTE: If one of the parties is using the child support enforcement services of the Department of Economic Security (DES), this Petition must be served on that office as well as the other party.**

You may serve DES by mailing a copy of the **Petition** and an **"Acceptance of Service"** form to:  
**Attorney General, Child Support Enforcement, P. O. Box 6123, Site Code 775 C, Phoenix, AZ 85005.**

The **"Acceptance of Service"** (form GN22F) is included in the **"SERVICE"** packet available for purchase from the Self-Service Center, or it may be downloaded for free from the Self-Service Center's website at:

<http://www.superiorcourt.maricopa.gov/ssc>

Enclosing a self-addressed, stamped envelope for the Agency to mail the signed form back to you, may speed the response time. There is no charge (except postage) for serving DES by this method.

You may also choose to pay to have the papers served by a private process server or the Sheriff's Department. You may serve either the: Director, Department of Economic Security, 1789 W. Jefferson, Phoenix, AZ 85007 OR Attorney General, Child Support Enforcement, 15 S. 15<sup>th</sup> Avenue, Phoenix, AZ 85007

**STEP 7: WAIT** for the Court to let you know whether the Order was signed or the matter was set for a hearing. **If** the other party requests a hearing, either a hearing or a conference will be scheduled. You will receive written notice of when and where to appear (date, time, and location)

If the other party does not request a hearing, *usually* one of the following will happen:

- The new Order of Assignment (with the changes you requested) will be signed.
- A Hearing or Conference will be set.
- You will be notified by mail that your request was denied.

Do not copy  
or file this page